

DISTRICT V ADVISORY BOARD
Minutes
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November 7, 2005
7:00 p.m.

Auburn Hills Golf Course Clubhouse
443 S. 135th West

Ten (10) District Advisory Board Members attended the District V Advisory Board meeting. Also in attendance was three City staff. Approximately 45 members of the public were present with 36 signing the sign-in sheet.

Members Present

David Almes
Bob Bulman
David Dennis
Maurice Ediger
Jerry Hoggatt
Andy Johnson
John Marker
Clarke Sandberg
DeAnn Sullivan
Ann Wellborn
Council Member Bob Martz

Members Absent

None

Staff Present

Bill Longnecker, Planning
Donna Goltry, Planning
Dana Brown, City Manager's Office

Guests

Listed on page 6.

Call to Order

Bob Martz, City Council Member, called the meeting to order at 7:068. He welcomed the public and explained that the role of the District Advisory Board was to advise him on district and citywide issues. He stated that all people who wished to speak would be given the opportunity at some point during the meeting and requested that they wait to be acknowledged before speaking as well as refrain from disrespectful comments or actions while others were speaking. In addition, the Council Member said that any issues not appearing on the agenda could be presented on the Public Agenda later in the meeting.

Deputy City Clerk, Patsy Ellis, conducted the oath of office for Board Members who had not yet completed their oath form including Bob Bulman, Jerry Hoggatt, Ann Welborn, and John Marker. The oath is effective for the current term (June 2005-May 2006) of appointment to the District V Advisory Board. All members are now sworn into office.

Council Member Martz then asked for approval of the minutes for the October 3, 2005 meeting. The minutes were approved with a correction for the Board Members volunteering for the Community Services Block Grant Review Committee. The volunteer is David Almes, not David Dennis as written.

The agenda for November 7, 2005 was approved.

Staff Reports

Community Police Report

Community Police Officers for District V were unable to report due to scheduling conflicts caused by recent training schedules.

Unfinished Business

Meadow Park Encroachment

Jerry Hoggatt, Board Member, reported on efforts to allow adjacent residents to use a utility easement on the west side of the City's Meadow Park. The issue was previously presented by the Park & Recreation Department and the Office of Central Inspection as an encroachment by a shed constructed at 434 S. Firefly on the utility easement. The Board deferred recommending action at the October 3, 2005 meeting at Hoggatt's request.

Hoggatt gave some background on the previous understanding by the Maple Valley Homeowners Association that the residents could use half of the easement. He said he had met with Doug Kupper, Director of Park & Recreation, about a possible waiver for the shed built on the easement but could not obtain it.

David McClanahan, 434 S. Firefly, who built the shed on the easement, said he believed that the city had made errors in their communication about where the shed could be built. Due to this and the possibility of bad weather with winter coming, he requested 60 days be allowed for removal of the shed.

Council Member Martz said he would agree to the 60-day waiver and that the Office of Central Inspection and the Park & Recreation Department would be notified.

Action: Receive and file.

New Business

CON2005-46

Bill Longnecker, Planning Department, presented a request from a property owner to change zoning from "SF-5," Single Family Residential, to Conditional Use to permit a neighborhood swimming pool. The subject property is generally located at west of the Hazelwood and Brookview Circle intersection. The Metropolitan Area Planning Commission had recommended approval on November 3rd.

Longnecker explained the request was to permit a neighborhood swimming pool and playground on two platted but undeveloped lots in the Ridge Port North 5th Addition. The UZC requires a Conditional Use for neighborhood pools in SF-5 zoning. The subject property is currently surrounded to the north, south, and east by properties zoned for residential use and in the process of development. West of the site is a nursing home on GO, General Office, zoned property. The site plan shows a fenced pool, an equipment/bath house, a playground, and ten parking spaces including two ADA spaces. In addition, landscape screening is shown but an approved plan would be required.

Area residents spoke about concerns with noise, fencing, declining value of homes adjacent to the pool, having purchased their home without knowledge of plan for pool, and increase in vehicle and pedestrian traffic in the area. One resident spoke in favor of the pool saying it would be an asset for the neighborhood and the subject property was the only lot available for Ridge Port 5.

Board Members requested & received clarification on the conditions due to revisions after the agenda packets were sent. The conditions addressed some of the concerns for lighting, parking, and buffer landscaping for sound. Some Members felt it was best to locate another site where residents had not yet purchased homes. Bulman (Johnson) moved that approval with conditions be recommended. The motion passed on a 7:3 vote (Almes, Sandberg, Ediger).

Action: Recommended approval with conditions (7:3).

CON2005-47

Bill Longnecker, Planning Department, presented the request explaining that the property is currently undeveloped and within an area being developed for residential use. The UC requires a Conditional Use for neighborhood pools in SF-5 zoning. The site plan shows a fenced pool, an equipment/bath house, a playground, and six parking spaces including one ADA space. Landscaped screening and parking lot screening are also shown.

No **area residents** spoke.

Board Members expressed support for the request due to the developing nature of the properties around the subject property. In this situation, anyone interested in the residential lots that surround the pool would be fully aware of it prior to purchasing the property. Sullivan (Bulman) moved to approve with conditions recommended in the Staff Report.

Action: Voted 10:0 to recommend approval subject to the conditions.

PUD2005-00005

Bill Longnecker, Planning Department, presented a request to change the current zoning of “SF-5,” Single Family Residential, to a Planned Unit Development, PUD, for development of a 4.3 acre, two parcel mixed residential, public-civic, and commercial PUD. The subject property is located approximately 1/3 mile south of 21st Street North and west of Maize Road.

Longnecker explained the property includes two parcels with intended use of Parcel One to be a wireless communication facility and Parcel Two to be ancillary parking for an existing excavating business founded in 1947. The business facility is currently on Parcel One and appears to have a private dispatch tower. The area was annexed into the City in 1999 and is now surrounded by residential areas, dental & medical offices, and a church. The applicant had originally applied for GC zone change but the request was rejected due to inappropriateness of spot zoning. Staff cannot recommend allowance of a wireless tower because the applicant hasn’t addressed the Location/Design Guidelines of the Wireless Communication Plan. However, staff recommended approval with no wireless tower and with certain conditions for height, lighting, screening, signage, hours of operation, limit on stockpiling, paved parking, and platting,

Tim Austin, agent for the property owner, gave a history of the ownership and use of the subject property. He said that previous maps indicate the property was zoned General Commercial but MAPD staff believe the error occurred when the maps were converted to GIS information. He referred to a letter from the OCI Superintendent stating that the business facilities and operation are a legal nonconforming use in accordance with the W/SC UZC. The owners want to maintain the excavating business, allow the wireless tower, and make the land use conforming and legal. They are opposed to the recommended conditions for paving, platting, and restrictions for hours of operation.

Area residents spoke about concerns for existing issues with noise from heavy equipment early in the morning and late at night, tall weeds & grass, drainage issues, fence condition, and traffic safety onto Maize Road at the business entrance. Other concerns included the wireless tower appearance and perceptions of reducing property values and affecting reception for electronic devices in their homes. A representative of the church spoke about the church's investment in the area in which Kirk benefited from their land purchase as well as the fencing on the north and west. The general public response was that the property owner had not been a good neighbor to the surrounding area.

Board Members expressed points about the business being out of character for the area, especially due to the surrounding growth; questioned why a property owner wouldn't keep track of zone change documentation; Kirk has certain privileges now that he isn't willing to give up; GC would allow more uses than PUD including a wireless tower; being consistent with past Board recommendations to require a buffer; and, the proposed location for a wireless tower is inappropriate for the area. **Johnson (Sandberg)** moved to deny the change request.

Action: Board voted 10:0 to recommend denial.

CON2005-00055

Donna Goltry, Planning Department, presented a request to amendment DP104 of the Oak Cliff Estates Community Unit Plan to eliminate the screening wall requirement between either Parcel 2 or Parcel 3 and Parcel 4, if Parcel 2 or Parcel 3 is developed with residential use. The subject property is on the northwest corner of Maize Road and Maple.

Goltry explained the applicant has struggled to develop over the past 25 years and wants to amend the screening wall requirements for DP-104 to better use the vacant parcels. The amendment would shift the wall requirements from the north and west property lines of Parcels 2 & 3, currently zoned Limited Commercial, to the western property line of Parcels 7 and 8 with Multi-Family use. Some trees currently exist as a buffer but the zoning requires a wall of brick, stone, masonry, architectural tile, or other similar material at height at 5-8 feet. Staff recommends that landscape screening of evergreens also be required. The LC area consists of small businesses with vacant land on street frontages of Maize and Maple. Multi-family and two-family homes are north and west of the area. UNZ requires a wall to be built behind the car wash that faces Maize to separate the end of the commercial area and beginning of residential but it has not yet been constructed. South is a variety of small businesses, a strip commercial center, and, a fire station.

Tim Austin, agent for the property owner, agreed with staff comments. He said the UZC allows a waiver to the residential CUP, and the new construction would allow potential buyers to

observe what exists around them if they purchase. He said the wall had not been built as required due to cost.

Area residents supported the masonry wall requirement, recognized the vacant land needs to be developed, and expressed concerns about increasing traffic on Maple and maintaining the landscape screening.

Board Members stated that the wall behind the car wash needed to be built as required. They questioned if both landscaping/trees and a wall were necessary but Goltry pointed out the wall might only be 5-foot tall and the trees would offer more privacy. **Sullivan (Sandberg)** moved to recommend denial. The motion passed with a 9:1 vote (Hoggatt).

Action: The Board voted 9:1 to recommend denial.

Public Agenda

This portion of the agenda provides an opportunity for citizens to present items not shown as part of the regular meeting agenda.

Scheduled items - None

Off-agenda items

Jim Breitenbach, Newport Apartments, spoke regarding concerns for flooding from the Big Ditch/Valley Center Floodway. **Council Member Martz** responded with information from his experience of serving on the City-County Flood Control Task Force in which a master plan for flood prevention is being developed. He said the work of the task force would be completed tomorrow and the plan would prevent the band-aid approach that had been used in the past.

Board Agenda

Updates, Issues, and Reports

Report on activities, events, or concerns in the neighborhoods and/or District V.

Council Member Martz

The **Council Member** invited Board Members on a one-hour tour of the new YMCA facility at 21st & 135th Streets at 1:00 p.m. on November 16, 2005. He said an afternoon tour of Cowskin Creek Reclamation Facility could also be scheduled. In the future, he'd like to also schedule tours for Emergency Operations Command Center, WATER Center at Herman Hill Park, and Auburn Hills Golf Course.

Other items included:

- Installation of the traffic light at 119th & Central would occur as soon as the materials and equipment order is received.
- Office of Central Inspection is researching the permitting for the sign located at 119th & Central, which precipitated questions at the last meeting.
- Report from Captain TJ Nelson, West Patrol, that Cotillion issues have been reduced and owner has complied with all requests to date.

DAB Members

- **Dennis** expressed his thanks again to City staff that attended the Rainbow Lakes HOA meeting to present information and address questions regarding city sewer and water. He said the meeting had been extremely helpful for the residents.
- **Bulman** reported that the lights from the new skateboard park under Kellogg are positioned so they create a glare for motorists going east during early morning. Staff responded they would report the issue to Park & Recreation.

Action: Receive and file.

With no further items, the meeting was adjourned at 11:20 p.m.

The next regular meeting for District Advisory Board V is scheduled at Auburn Hills Clubhouse at **7:00 p.m. on December 5, 2005** the first Monday of the month.

Respectfully Submitted,

Dana Brown, Neighborhood Assistant
City Council District V

Guests

Clete Dold, 218 S. Breezy Point Circle, 67235
Jim Avonis, 146 N. Maize Road #29, 67212
Gordon Detzour, 110 N. Maize Road #79, 67212
Richard Z. Adkisson, 10810 Men Ct, 67212
Charles R. Bob Wilson, 1820 N. Lark Ct., 67212
Joan Wilson, 1820 N. Lark Ct., 67212
Delton Baxter, 3427 N. Sandplum Cir.
Sara Baxter, 3437 N. Sandplum Cir.
Donald Bryant, 6523 W. Brookview Cir., 67205
Dale Maupin, 1880 N. Lark Cir., 67212
Russell Darby, 6102 W. 34th North, 67205
Randy Ewy, 1852 N. Lark Ct., 67212
Willie Robinson, 3411 N. Ridge Port St., 67201
Ed Bricknell, 10613 Westport, 67212
Mike Erickson, 6302 W. Brookview, 67205
Ginger Reiff, 10514 Texas #2
Bob Voyes, 104 55 Texas
Paul Tobia, 12102 Ridgepoint

Roger Klooke, 1860 N. Lark Ct., 67212
Walter Zitcow, 10706 Westport, 67212
David M. McClanahan, 434 S. Firefly
Bill Rahn, 4385 S. Firefly
Bill Longnecker, Planning Department
Terri Sutton, 3454 N. Hazelwood Ct., 67205
Catherine Leslie, 2310 Pepper Ridge Cir.
Mark Grimes, 11024 Slerial, 67209
James F. Breitenbach, Newport Apartments
Youngyout Naronavar, 1840 N. Lark Ct., 67212
Norman Dahlstrom, 10707 W. Westport St., 67212
Sally Dahlstrom, 10707 W. Westport St., 67212
Sam Biedron, 1864 N. Lark Ct., 67212
Mike Palmer, 1884 N. Lark Cir., 67212
Terry Palmer, 1884 N. Lark Cir., 67212
Cappy Roberts, 1105 Prescott, 67209
Rita Kirkbride, 1824 N. Lark Ct., 67212